

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

MELISSA CARSON, individually
and on behalf of all others similarly
situated,

Plaintiff,

v.

THE HOME DEPOT, INC.,

Defendant.

Civil Action No. 1:21-cv-04715-
TWT

**DEFENDANT THE HOME DEPOT, INC.’S CORRECTED MOTION TO
COMPEL ARBITRATION OR, IN THE ALTERNATIVE, TO DISMISS
PLAINTIFF’S FIRST AMENDED CLASS ACTION COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), Defendant The Home Depot, Inc. (“Home Depot”) hereby moves to compel the submission of Plaintiff’s claim to arbitration or, in the alternative, dismiss Plaintiff’s First Amended Complaint for failure to state a claim upon which relief may be granted. For the reasons set forth in the accompanying memorandum of law, Home Depot respectfully requests that the Court grant its motion and enter an order compelling bilateral arbitration or, in the alternative, dismiss Plaintiff’s Class Action Complaint with prejudice.

Respectfully submitted this 1st day of February, 2022.

/s/ S. Stewart Haskins II

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CERTIFICATE OF SERVICE

I hereby certify that on February 1, 2022, I submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Georgia, using the electronic case filing system of the court.

KING & SPALDING LLP

/s/ S. Stewart Haskins II

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